

**EXPEDITED PROCEDURE - EXAMINING GROUP 1654**S/N 09/702068**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Martin E. Davis et al.	Examiner:	M. V. Meller
Serial No.:	09/702068	Group Art Unit:	1654
Filed:	October 30, 2000	Docket:	267.011US1
Title:	Enzymatic Treatment of Whey Proteins for the Production of Antihypertensive Peptides and the Resulting Products		

**TERMINAL DISCLAIMER****BY FAX - 703-872-9306**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Peter L. Malen, am an attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on October 31, 2002. I am making this petition on behalf of Davisco Foods International, Inc., the assignee of the present application. As an attorney of record, I am empowered to act on behalf of the assignee, and in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

**Certificate Under 37 C.F.R. § 3.73(b)**

Your petitioner, Davisco Foods International, Inc., certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 09/702,068) and to U.S. Patent No. 6,630,320. Your petitioner owns the entire right, title, and interest of patent application Serial No. 09/702,068 and U.S. Patent No. 6,630,320 by nature of assignments executed and filed with the United States Patent and Trademark Office. The assignment for the above-identified patent application (Serial No. 09/702,068) was recorded on November 7, 2002, on Reel 013465, Frame 0314. The assignment for U.S. Patent No. 6,630,320 was recorded on November 6, 2002, on Reel 013462, Frame 0717.

The undersigned representative of the assignee has reviewed the evidentiary documents of

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Serial Number: 09/702068

Filing Date: October 30, 2000

Title: ENZYMATIC TREATMENT OF WHEY PROTEINS FOR THE PRODUCTION OF ANTIHYPERTENSIVE PEPTIDES AND THE  
RESULTING PRODUCTSPage 2  
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title and certifies that to the best of assignee's knowledge and belief, title is in the assignee,  
Davisco Foods International, Inc., seeking to take the action set forth in this disclaimer.

**Terminal Disclaimer**

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of U.S. Patent No. 6,630,320. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent No. 6,630,320 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

**Limitations on the Disclaimer**

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,630,320 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

**TERMINAL DISCLAIMER**

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Dkt: 267.011US1**Fee Status**

The Commissioner of Patents and Trademarks is hereby authorized to charge the amount of \$55.00, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer, to Deposit Account No. 19-0743. The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,  
**MARTIN E. DAVIS ET AL.**  
By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 359-3265

Date December 18, 2003

By

Peter L. Malen  
Reg. No. 44.894



The undersigned hereby certifies that this correspondence is transmitted by facsimile (FAX NO. 703-872-9306) to: Attn: Examiner Michael Meller, GPO 1654, Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 18<sup>th</sup> day of December, 2003.

Name



Signature

